

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (currently amended) An oral dosage form, comprising:

a bi-layer tablet consisting of a first layer having a first surface and an opposing second surface and a second layer having a first surface and an opposing second surface, wherein said second surface of said first layer physically contacts said first surface of said second layer;

an encapsulant disposed over said bi-layer tablet;

wherein said first layer comprises an orally therapeutically effective dose of oxycodone HCl in combination with dextromethorphan HBr, wherein the ratio of oxycodone HCl to dextromethorphan HBr is 1:5 by weight;

wherein said second layer comprises carboxy methyl cellulose, sodium chloride, and iron oxide;

wherein said oral dosage form is formed to include an aperture extending through said encapsulant and into said first layer;

and wherein said oral dosage form does not include an opioid antagonist.

2. Canceled.

3. (original) The oral dosage of claim 1, wherein said first layer comprises about 9 milligrams of oxycodone and about 45 milligrams dextromethorphan.

4. (original) The oral dosage of claim 1, wherein said first layer comprises about 5 milligrams of oxycodone and about 25 milligrams dextromethorphan.

5. (original) The oral dosage of claim 4, further comprising polyvinylpyrrolidone dispersed in said first layer.

6. (original) The oral dosage of claim 5, further comprising:

a carbomer disposed in both said first layer and said second layer;

magnesium stearate disposed in both said first layer and said second layer; and

microcrystalline cellulose disposed in both said first layer and said second layer.

7. (withdrawn) A method to provide pain relief to a patient in need thereof, comprising preparing an oral dosage form comprising:

a bi-layer tablet consisting of a first layer having a first surface and an opposing second surface and a second layer having a first surface and an opposing second surface, wherein said second surface of said first layer physically contacts said first surface of said second layer;

an encapsulant disposed over said bi-layer tablet, wherein said encapsulant comprises an outer surface;

wherein said first layer comprises an orally therapeutically effective dose of oxycodone HCl in combination with dextromethorphan HBr, wherein the ratio of oxycodone HCl to dextromethorphan HBr is 1:5 by weight;

and wherein said oral dosage form does not include an opioid antagonist.

8. (withdrawn) The method of claim 7, wherein said encapsulant comprises an outer surface, further comprising the steps of:

forming said encapsulant to include a first aperture extending inwardly through said outer surface and through said encapsulant;

forming said first surface of said first layer to include a second aperture extending

through said first surface inwardly into said first layer.

9. (withdrawn) The method of claim 7, further comprising the steps of:

dispersing about 9 milligrams of oxycodone in said first layer; and

dispersing about 45 milligrams dextromethorphan in said first layer.

10. (withdrawn) The method of claim 7, further comprising the steps of:

dispersing about 5 milligrams of oxycodone in said first layer; and

dispersing about 25 milligrams dextromethorphan in said first layer.

11. (withdrawn) The method of claim 10, further comprising the step of dispersing polyvinylpyrrolidone in said first layer.

12. (withdrawn) The method of claim 11, further comprising the steps of:

dispersing a carbomer in both said first layer and said second layer;

dispersing magnesium stearate in both said first layer and said second layer; and

dispersing microcrystalline cellulose in both said first layer and said second layer.

13. (withdrawn) A method to prepare an oral dosage form, comprising the steps of:

providing oxycodone;

providing dextromethorphan;

forming a bi-layer tablet consisting of a first layer having a first surface and an opposing second surface and a second layer having a first surface and an opposing second surface, wherein said second surface of said first layer physically contacts said first surface of said second layer;

providing an encapsulant;

coating said bi-layer table with said encapsulant, wherein said encapsulant comprises an

outer surface;

wherein said first layer comprises an orally therapeutically effective dose of oxycodone HCl in combination with dextromethorphan HBr, wherein the ratio of oxycodone HCl to dextromethorphan HBr is 1:5 by weight;

and wherein said oral dosage form does not include an opioid antagonist.

14. (withdrawn) The method of claim 13, wherein said forming a bi-layer table step further comprises forming said first surface of said first layer to include a first aperture portion extending through said first surface inwardly into said first layer; and

wherein said coating step further includes forming a second aperture portion extending inwardly through said outer surface and through said encapsulant to communicate with said first aperture portion.

15. (withdrawn) The method of claim 13, further comprising the steps of:

dispersing about 9 milligrams of oxycodone in said first layer; and

dispersing about 45 milligrams dextromethorphan in said first layer.

16. (withdrawn) The method of claim 13, further comprising the steps of:

dispersing about 5 milligrams of oxycodone in said first layer; and

dispersing about 25 milligrams dextromethorphan in said first layer.

17. (withdrawn) The method of claim 4, further comprising the step of dispersing polyvinylpyrrolidone in said first layer.

18. (withdrawn) The method of claim 17, further comprising:

dispersing a carbomer in both said first layer and said second layer;

dispersing magnesium stearate in both said first layer and said second layer; and

dispersing microcrystalline cellulose in both said first layer and said second layer.

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